



MELLINGER, SANDERS & KARTZMAN, LLC

101 Gibraltar Drive, Suite 2F

Morris Plains, New Jersey 07950

Joseph R. Zapata, Jr., Esq.

Tel. (973) 267-0220

jzapata@msklaw.net

Attorneys for Steven P. Kartzman, Chapter 7 Trustee

Order Filed on September 18, 2018
by Clerk
U.S. Bankruptcy Court
District of New Jersey

In re:

**MICHAEL KALFUS AND
ROBIN KALFUS,**

Debtor.

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY**

Case No. 18-13396 (VFP)

Chapter 7

Honorable Vincent F. Papalia

**CONSENT ORDER FOR THE TURNOVER
OF FUNDS TO THE CHAPTER 7 TRUSTEE**

The relief set forth on the following page numbered two (2) through three (3) is hereby
ORDERED.

DATED: September 18, 2018



Honorable Vincent F. Papalia
United States Bankruptcy Judge

Debtor: Michael Kalfus and Robin Kalfus
Case No.: 18-13396 (VFP)
Caption: Consent Order for the Turnover of Funds to the Chapter 7 Trustee

THIS MATTER having been brought before the Court by Steven P. Kartzman, the Chapter 7 Trustee (the “Trustee”), by and through his attorneys Mellinger, Sanders & Kartzman, LLC, on application for the entry of a Consent Order in lieu of a formal motion seeking the turnover of property of the estate currently held by Scura, Wigfield, Heyer, Stevens & Cammarota, LLP (“Scura Wigfield”), former counsel to the Debtor, from the proceeds of the sale of the Debtors’ property at 68 Hillcrest Road, Boonton, NJ (the “Property”), and an Order having been entered approving the sale on March 27, 2018 (the “Sale Order”), and the Sale Order having authorized the Debtors’ use of the sale proceeds to pay the outstanding mortgages and other charges against the Property, as well as, post-petition attorneys fees incurred by Scura Wigfield, and the Sale Order further directing that certain of the proceeds of sale be held in escrow pending the filing of a motion and adjudication by the Court on the issue of whether or not the sheriff was entitled to a commission from the proceeds of the sale pursuant to N.J.S.A. § 22A:4-8 (the “Escrowed Funds”), and the Debtors’ case having been converted to one under Chapter 7, and the Trustee having requested that the remaining proceeds of the sale be turned over to the Trustee as property of the estate, as well as the Escrowed Funds, and the Trustee and Debtor’s current counsel, Trenk, DiPasquale, Della Fera & Sodono, P.C., having agreed to amicably resolve this issue on the terms set forth herein, as appears from the signatures of counsel affixed hereto, it is hereby

ORDERED AS FOLLOWS:

1. Scura Wigfield is directed to turnover to the Trustee the sum of \$66,961.62, representing the net proceeds of the sale of the Property, as well as, the Escrowed Funds, in the sum of \$17,030.86.
2. Following turnover of the Escrowed Funds, same shall remain held in escrow by the Trustee pending further order from the Court.

Debtor: Michael Kalfus and Robin Kalfus
Case No.: 18-13396 (VFP)
Caption: Consent Order for the Turnover of Funds to the Chapter 7 Trustee

3. The parties hereto shall execute any and all documents and pleadings reasonably necessary to implement all of the foregoing provisions.

4. The Bankruptcy Court shall retain exclusive jurisdiction to adjudicate all matters arising under or in connection with this Consent Order.

*The undersigned hereby consent to
the form and entry of the within Order:*

**MELLINGER, SANDERS
& KARTZMAN, LLC**
*Attorneys for Steven P. Kartzman
Chapter 7 Trustee*

**TRENK, DIPASQUALE, DELLA FERA
& SODONO, P.C.**
Attorneys for Michael Kalfus and Robin Kalfus

By: /s/ Joseph R. Zapata, Jr.
JOSEPH R. ZAPATA, JR., ESQ.

By: /s/ Anthony Sodono, III
ANTHONY SODONO, III, ESQ.

Dated: September 5, 2018

Dated: September 5, 2018

Imaged Certificate of Notice Page 4 of 4

United States Bankruptcy Court
District of New JerseyIn re:
Michael Kalfus
Robin Kalfus
DebtorsCase No. 18-13396-VFP
Chapter 7**CERTIFICATE OF NOTICE**

District/off: 0312-2

User: admin
Form ID: pdf903Page 1 of 1
Total Noticed: 1

Date Rcvd: Sep 18, 2018

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Sep 20, 2018.
db/jdb +Michael Kalfus, Robin Kalfus, 7 Lakeview Terrace, Montville, NJ 07045-9158

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
NONE. TOTAL: 0

***** BYPASSED RECIPIENTS *****

NONE. TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Sep 20, 2018

Signature: /s/Joseph Speetjens**CM/ECF NOTICE OF ELECTRONIC FILING**

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on September 18, 2018 at the address(es) listed below:

Anthony Sodono, III on behalf of Joint Debtor Robin Kalfus asodono@trenklawfirm.com
 Anthony Sodono, III on behalf of Debtor Michael Kalfus asodono@trenklawfirm.com
 Anthony Sodono, III on behalf of Defendant Michael Kalfus asodono@trenklawfirm.com
 Anthony Sodono, III on behalf of Defendant Robin Kalfus asodono@trenklawfirm.com
 Anthony Sodono, III on behalf of Defendant Michael and Robin Kalfus asodono@trenklawfirm.com
 Charles G. Wohlrab on behalf of Creditor THE BANK OF NEW YORK MELLON FKA THE BANK OF NEW YORK, AS TRUSTEE (CWALT 2005-J9) cwohlrab@logs.com, njbankruptcynotifications@logs.com
 Charles Michael Rowan on behalf of Creditor Albert Kenney mrowan@saul.com
 Christian Del Toro on behalf of Creditor Haven Savings Bank cdeltoro@martonelaw.com, mrozea@leopoldassociates.com; bky@martonelaw.com
 David Gerardi on behalf of U.S. Trustee U.S. Trustee david.gerardi@usdoj.gov
 Denise E. Carlon on behalf of Creditor VW Credit Leasing, Ltd dcarlon@kmlawgroup.com, bkgroup@kmlawgroup.com
 Forrest Scott Turkish on behalf of Attorney Forrest Turkish fsturkish@aol.com
 Frank J Martone on behalf of Creditor Haven Savings Bank bky@martonelaw.com
 Guillermo Gonzalez on behalf of Joint Debtor Robin Kalfus ggonzalez@scuramealey.com, ecfbkfilings@scuramealey.com; ascolavino@scuramealey.com; tscialla@scuramealey.com; mmack@scura.com
 Guillermo Gonzalez on behalf of Debtor Michael Kalfus ggonzalez@scuramealey.com, ecfbkfilings@scuramealey.com; ascolavino@scuramealey.com; tscialla@scuramealey.com; mmack@scura.com
 John O'Boyle on behalf of Plaintiff Osborn Financial Group, LLC joboyles@norgaardfirm.com, sferreira@norgaardfirm.com; 184grandno@gmail.com; kcimmiano@norgaardfirm.com
 John A. Fialcowitz on behalf of Plaintiff Fishman consulting group, llc john.fialcowitzlaw.com
 Joseph L. Schwartz on behalf of Interested Party The County of Morris, Morris County Sheriff's Office jschwartz@riker.com
 Joseph R Zapata, Jr. on behalf of Trustee Steven P. Kartzman jzapata@msklaw.net
 Matteo Percontino on behalf of Creditor Lakeland Bank matteo.percontino@klgates.com, matteo.percontino@klgates.com
 Melissa S DiCerbo on behalf of Creditor THE BANK OF NEW YORK MELLON FKA THE BANK OF NEW YORK, AS TRUSTEE (CWALT 2005-J9) nj-ecfmail@mwcc-law.com, nj-ecfmail@ecf.courtdrive.com
 Rebecca Ann Solarz on behalf of Creditor VW Credit Leasing, Ltd rsolarz@kmlawgroup.com
 Steven P. Kartzman on behalf of Debtor Michael Kalfus kartztee@optonline.net, jzapata@msklaw.net; nj16@ecfcbis.com; jloewenstein@msklaw.net
 Steven P. Kartzman kartztee@optonline.net, jzapata@msklaw.net; nj16@ecfcbis.com; jloewenstein@msklaw.net
 Steven P. Kartzman on behalf of Trustee Steven P. Kartzman kartztee@optonline.net, jzapata@msklaw.net; nj16@ecfcbis.com; jloewenstein@msklaw.net
 U.S. Trustee USTPRegion03.NE.ECF@usdoj.gov
 William L. Waldman on behalf of Creditor Lakeland Bank william.waldman@klgates.com, waldmanw@aol.com

TOTAL: 26